

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

– against –

MALCOLM FEASTER,

Defendant.

**07-CR-874**

**Memorandum and Order  
Explaining Sentence for  
Violation of Probation**

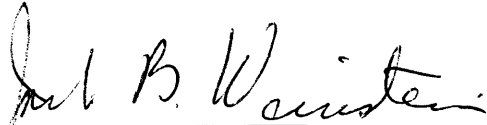
**JACK B. WEINSTEIN, Senior United States District Judge:**

At a hearing on May 3, 2016, defendant Malcolm Feaster pled guilty to one charge of the violation of probation report: he failed to complete his six month residency at the Residential Re-entry Center approved by the Probation Department. *See* Supplement to Violation of Probation Report (charge six) (defendant was discharged “as a program failure”); Hr’g Tr., May 3, 2016 (“Hr’g Tr.”).

The applicable sentencing range pursuant to the sentencing guidelines is three to six months of incarceration. *See* Hr’g Tr. The parties agreed that a custodial sentence within the guidelines followed by the termination of supervision was appropriate. Ordered is a sentence of three months of incarceration, with the termination of probation upon defendant’s release from prison. The sentence is reasonable in light of defendant’s history of failure to comply with the requirements of his probation, as well as the desirability of defendant maintaining his relationship with his family and girlfriend. *See id.*

The government is to indicate to the warden that: (1) assistance from a social worker would be useful during defendant’s incarceration; and (2) defendant’s medical needs are to be given appropriate and timely attention.

SO ORDERED.

A handwritten signature in black ink, reading "Jack B. Weinstein". The signature is written in a cursive style with a large, stylized "J" and "W".

Jack B. Weinstein  
Senior United States District Judge

Dated: May 3, 2016  
Brooklyn, New York